

## IN THE UNITED STATES DISTRICT COURT

## FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT GEORGE FREY, JR,

NO. 2:06-cv-4490

Petitioner

VS.

PAUL J. STOWITZKY, SUPERINTENDENT,

AND

THE DISTRICT ATTORNEY OF THE COUNTY OF NORTHAMPTON,

AND

THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA,

Respondents

FAY 8 1 7007

Michael E. No. 2, Clark By Phy Dop. Clark

<u>ORDER</u>

JAMES T. GILES, J.,

AND NOW, this

29th day of

, 2007, upon careful and

independent consideration of the petition for writ of habeas corpus, and after review of the

Report and Recommendation of United States Magistrate Judge Jacob P. Hart, IT IS ORDERED that:

- 1. The Report and Recommendation is APPROVED and ADOPTED.
- 2. The petition for a writ of habeas corpus is DENIED.
- 3. There is <u>no</u> basis for the issuance of a certificate of appealability.

BY THE COURT:

JAMES T. GILES, J.